

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI
GULFPORT DIVISION**

Escambia Asset Company, LLC

Case No.: 23-50492-JAW

Debtor,

**MOTION FOR RULE 2004 EXAMINATION TO GUARANTY BANK & TRUST TO
PRODUCE DOCUMENTS ONLY**

Taslog, Limited (“Taslog”), an interested party and likely creditor, pursuant to Bankruptcy Rule 2004, moves the Court for an order directing **Guaranty Bank & Trust (“Guaranty”)** to produce documents at the offices of Cloud, Willis & Ellis, LLC, 61 St. Joseph Street, Suite 800, Mobile, Alabama 36602, concerning the Debtor Escambia Asset Company, LLC (“Debtor”) within 15 days of the entry of an order from this Court. Movant states in support of its Motion:

A. Upon information and belief, Debtor has one or more accounts held with Guaranty in the name of the Debtor.

B. Rule 2004(a) provides, in pertinent part, that “[o]n motion of any party in interest, the court may order the examination of any entity.” See Fed. R. Bankr. P. 2004(a). Rule 2004(b) states that the examination may relate to, among other things, “the acts, conduct, or property or to the liabilities and financial condition of the debtor, or to any matter which may affect the administration of the debtor’s estate, or to the debtor's right to a discharge.” See Fed. R. Bankr. P. 2004(b).

C. The scope of a Rule 2004 examination is “unfettered and broad,” as the wording of the rule indicates, *See In re Brazemore*, 216 B.R. 1020, 1023 (Bankr. S.D. Ga. 1998), and far broader than the scope of discovery under Rule 26 of the Federal Rules of Civil Procedure. See *In re Lang*, 107 B.R. 130, 132 (Bankr. N.D. Ohio 1989). The well-settled scope of discovery

conducted under Rule 2004 is so fundamental to the bankruptcy process and permissibly broad that courts have gone so far as to use with approval words and phrases such as “fishing expedition,” “exploratory and groping,” and “inquisition” to describe the breadth of the examination. *See In re 2435 Plainfield Ave., Inc.*, 223 B.R. 440, 456 (Bankr. D. N.J. 1998); *In re Ionosphere Clubs*, 156 B.R. 414, 432 (S.D.N.Y. 1993); *Simon v. FIA Card Servs., N.A.*, 732 F.3d 259, 268 n.6 (3rd Cir. App. 2013).

D. Movant requests that the Court order Guaranty Bank & Trust to produce the following documents:

1. Between January 1, 2021 through and including May 15, 2023, any and all documents relating to any and all accounts held in the name of **Debtor Escambia Asset Company, LLC**, including without limitation, bank account statements, cancelled checks, wires, any and all financial statements, loan applications, profit and loss statements, tax returns or any other documents submitted by or on behalf of Debtor.

WHEREFORE, PREMISES CONSIDERED Movant Taslog, Limited, prays this Court will enter an order granting its motion. Movant prays for such further and additional relief as this Court deems appropriate.

/s/ E.B Harrison Willis
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Attorney for Taslog, Limited

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion was served upon the following via electronic means (as noted below) or by mailing same by United States First Class Mail in a properly addressed envelope with adequate postage affixed thereon to insure delivery, addressed as follows:

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Served Via Certified Mail Return Restricted Delivery and US Mail

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Via Regular Mail

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Done this 26th day of May, 2023.

By: /s/ E.B. Harrison Willis
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